

SEP 14 2028

PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC

IN THE

United States District Court for the
Eastern District of North Carolina

Southern Division

ANDREW U. D. STRAW,)	Case#: 7:23-cv-00162-BO-BM
<i>Plaintiff,</i>)	
)	Hon. Terrence Boyle
v.)	Judge Presiding
)	Hon. Brian Meyers
UNITED STATES OF AMERICA,)	Magistrate Judge
<i>Defendant.</i>)	
)	JURY TRIAL DEMANDED

MOTION REGARDING THE HARROWING OF THE VICTIMS BY DOJ & DON

I, *plaintiff-appellant*, Andrew U. D. Straw, hereby MOVE the Court that the government is making lowball offers that are not just and should be enjoined:

FACTS

1. We are not selling houses or negotiating employment terms here.
2. CLJA is about compensating for crimes, environmental crimes, UCMJ crimes, against veterans, their spouses, and their children because they used Camp LeJeune, plus employees who worked at Camp LeJeune.
3. DOJ and DON have announced that offers up to \$550,000 will be made via its "Elective Option." <https://www.navy.mil/clja/>

<https://www.justice.gov/opa/pr/justice-department-and-department-navy-announce-voluntary-elective-option-more-efficient>

4. So, the very worst, most awful cases of cancer or death, including death while WAITING for this justice, will be offered \$550,000 while the Wall Street Journal has reported that the average CLJA claim is for \$10,000,000.

5. Attorneys will get 50% in some cases, leaving only half. A maximum of \$275,000 for **DEATH** or **CANCER** or **MENTAL ILLNESS**, any of which are likely to ruin a life. Ruin career prospects. Ruin family relationships. Ruin reputation. And that \$550,000 requires being at Camp LeJeune for 5 years!
6. The government has dragged this out, *causing* deaths and much emotional disruption by not making valid, just offers before now, including in mine.
7. There have been jury verdicts for wrongful death above \$1 billion in the United States, and **many above \$100,000,000**:
<https://www.enjuris.com/blog/resources/biggest-wrongful-death-awards/>
8. I am not saying that every compensatory damage settlement has to be \$1 billion, but offering less than 0.001 deserves an injunction at this point.
9. The minimum should be above the average claim. \$25,000,000
10. The minimum for death should be \$50,000,000.
11. The Court has power to reject settlements that are offenses to justice and this new "Elective Option" that the Court has not approved stinks up the process terribly with lowball damages that can't be right in any case.
12. The government also attempts to give victims less based on the amount of time at Camp LeJeune and this is not contemplated by the Act at all. It offends the Act. 30 days of exposure is all that is needed. I had 583 days.
13. CLJA is **a door open with 30 days**, not a door halfway open. The government is trying to inject inequality founded on amount of time exposed where the

CLJA law makes anyone with over 30 days of exposure eligible for the full amount of damage they sustained. VICTIM EQUALITY IS THE LAW.

14. The government has suggested that a person must have lived or worked at Camp LeJeune and once again this is wrong. The family members of veterans who had off base residences but used the base are covered under this law without "living or working" at Camp LeJeune. That is the meaning of "otherwise exposed." My mother's USMC privilege card gave me access to the base for 19 months, including the toxic swimming pool. Card # N7-051-397
15. This insulting settlement system is another attempt to nullify this law and such offers must be enjoined as offensive to justice and the Act. The government should be punished by revising every settlement up to the minimum this Court sets.
16. The Court has authority over CLJA and the government cannot, must not be allowed to offer such low amounts when it has dragged out justice, not the victims.
17. This is like a manslaughter-committing criminal getting advantages by going on the lam and running across state lines, delaying or defeating justice.
18. Restorative justice as here requires paying for the full damages done.
19. At this point, this system of government "offers" is an admission that the government harmed these victims but once again wants to add insult to injury.

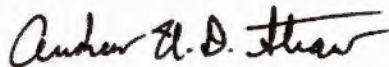
20. The government admits the hell that it unleashed on these patriotic families, but keeps harrowing the victims to avoid justice. Don't allow it.

21. It is obvious that the 13 months of delay after this law was passed represent an undue and unethical attempt to **squeeze the victims with illness & poverty & death** so they accept a lowball offer that is not anywhere near justice.

22. Any settlement offered and accepted under the unethical "Elective Option" should be adjusted upwards to a minimum set by this Court.

WHEREFORE, I move the Court to set that bottom limit on damages and settlement offers to: **\$25,000,000** for a mental illness or other serious illness or effects, **\$25,000,000** for cancer, and **\$50,000,000** for wrongful death, so no government offer can be less than this and any settlement is revised up to these levels.

Respectfully submitted this 7th Day of September, 2023.



Andrew U. D. Straw, *Proceeding Pro Se*

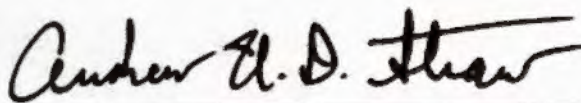
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CERTIFICATE OF SERVICE

I, Andrew U. D. Straw, certify that on **September 7, 2023**, I sent this **MOTION** and **PROPOSED ORDER** below to the Clerk of Court via U.S. Mail. CM/ECF will serve these documents to defendant's counsel upon scanning by the Clerk into PDF format and assigning a docket number to each.

Respectfully submitted,



s/ ANDREW U. D. STRAW

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ANDREW U. D. STRAW, <i>Plaintiff,</i>)	Case#: 7:23-cv-00162-BO-BM
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)	Hon. Terrence Boyle
v.)	Judge Presiding
)	Hon. Brian Meyers
UNITED STATES OF AMERICA, <i>Defendant.</i>)	Magistrate Judge
)	
)	JURY TRIAL DEMANDED

ORDER

The Court, being advised in the premises, hereby makes these findings and orders:

FINDINGS AND HOLDINGS

- The government's "Elective Option" was never pre-authorized by this Court.
- Making compensatory damages for death and mental illness and infant brain and spinal injuries and the long list of severe and fatal conditions worth a maximum of \$550,000 when there is no cap on the government's ability to pay offends justice and the purpose of the Camp LeJeune Justice Act of 2022.

WHEREFORE, this Court holds that the minimum amount for any settlement of a single claim must not fall below **\$25,000,000** for severe illness or consequential damages (injuries from treatment, reputation damage, family destruction, divorce, career injuries, etc.) or **\$50,000,000** when the Camp LeJeune injuries caused death. Any settlement will be revised upwards to these levels.

It is so ORDERED.
Per Curiam.